

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8772 of 2023

Arising Out of PS. Case No.-138 Year-2021 Thana- PAKRIDAYAL District- East Champaran

Shanni Kumar @ Shanni Sah S/O Shambhu Sah R/O Village- Barka Gaon,
P.S.- Pakri Dayal, Distt- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 363, 366A, 34 of the IPC and Sections 4/6 of the POCSO Act.

The allegation against the petitioner is that he along with co-accused and some unknown persons kidnapped her daughter for the purpose of marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of suspicion. As per impugned order victim is aged about 18-19 years. The victim is recovered and as per her statement



recorded under Section 164 of the Cr.P.C. she stated that she went with this petitioner with her own sweet will and after one month performed court marriage at Panipat. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 07.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Pakari Dayal P.S. Case No. 138 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIIth-cum-Additional Judge POCSO Act, East Champaran at Motihari.

(Sunil Kumar Panwar, J)

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